

ORIGINAL

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

Attorneys for Defendant Ernst & Young LLP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)

B
Pw

DAVID HO, on behalf of himself and
others similarly situated and on behalf
of the general public and DOES 1-20

Case No.

005 04867

HRL

Plaintiff,

v.

ERNST & YOUNG, LLP

Defendant.

**DECLARATION OF DANIEL
MARTIN IN SUPPORT OF
DEFENDANT ERNST & YOUNG
LLP'S NOTICE OF REMOVAL OF
ACTION**

**(SANTA CLARA SUPERIOR
COURT CASE NO. 105CV049741)**

DECLARATION OF DANIEL MARTIN IN SUPPORT OF DEFENDANT ERNST & YOUNG LLP'S
NOTICE OF REMOVAL OF ACTION

1 I, Daniel Martin, hereby declare as follows: I am over eighteen years of age and have
2 personal knowledge of the facts set forth in this declaration and would testify
3 competently to them under oath if called as a witness.

4 1. I am employed by Ernst & Young LLP ("Ernst & Young") in the position of
5 Technology & Reporting Analyst on the Americas People Team.

6 2. Ernst & Young, using Oracle, maintains a Human Resources / Information
7 System computer database called "Human Resources Information Management" or
8 "HRIM." Ernst & Young uses the database to track and analyze personnel data. Among
9 other information, the HRIM database includes the current and historical job titles of
10 each Ernst & Young employee. These job titles include "Staff One," "Senior One," and
11 "Senior Two." The database also includes current and historical Work Locations and
12 salary and/or wage information for each Ernst & Young employee.

13 3. As part of my regular job duties, I process computer queries in order to
14 extract information from the HRIM database.

15 4. During the period from September 30, 2001 to October 31, 2005, Ernst &
16 Young employed approximately 2,587 different individuals in California at the level of
17 "Staff One," "Senior One," and "Senior Two." I obtained this information by running a
18 query in HRIM, requesting all current or former employees who held any of these titles
19 during this time period and whose Work Location is identified as being in California.

20 5. The average annual salary of these individuals is approximately \$55,800. I
21 obtained this information by calculating the arithmetic mean of these individual's most
22 recent salaries while employed at the level of "Staff One," "Senior One," or "Senior
23 Two."

24 6. Of the 2,587 individuals described above, approximately 736 individuals
25 worked full-time at the level of "Staff One," "Senior One," or "Senior Two" since
26 September 30, 2002, and are currently not employed with Ernst & Young. I obtained
27 this information by running a query in HRIM, requesting all former employees who
28

1 September 30, 2002, worked on a full-time basis, and whose Work Location is identified
2 as being in California.

3 7. At the time their employment ended, these former employees were earning
4 an average annual salary of approximately \$56,120. I obtained this information by
5 calculating the arithmetic mean of the most recent salaries for each of these former
6 employees.

7
8 I declare under penalty of perjury under the laws of the United States that the
9 foregoing is true and correct.

10 Executed on November 28, 2005, at Raleigh, North Carolina.

11
12
13 
14 Daniel Martin